**Official****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

3910.164

Applicant(s) : Russell Javors  
Serial No. : 09/497, 244  
Filing Date : February 3, 2000  
Title : TOY WITH REMOTELY CONTROLLED SECURITY ALARM

Examiner: B. Zimmerman  
Art Unit: 2635

#9  
11-6-01**VIA FACSIMILE - 703-872-9314**

ATTN: Examiner B. Zimmerman  
Office P/2635, Building PK2, Rm. 03-A13  
Assistant Commissioner for Patents  
Washington, D.C. 20231

**REASONS FOR PRELIMINARY CLAIM AMENDMENTS**

Sir:


The Preliminary Amendment filed February 3, 2000 canceled, amended and added claims without stating any reasons for the cancellations, amendments and additions. The reasons are as follows:

The parent application (now U.S. Patent No. 6,028,423) was filed with claims 1-23. Claims 1, 3-11, 13-21 and 23 were allowed in the parent application. Claims 1, 2 and 4 were independent claims, and claims 3-17 were multiple-dependent claims dependent upon claims 1 and 2. Claims 2-9 and 11 were retained, as amended, based on desired claim coverage and the claims to be issued in the parent application, and not for reasons related to patentability, *per se*. Claim 12, retained in the Preliminary Amendment, was canceled in the Response dated October 17, 2001 because it was dependent upon a canceled claim, claim 10. (Please disregard the comment in the Response dated October 17, 2001 that claim 12 is pending, and the request to allow the application with claim 12.)

Claims 2-9 and 11 were not amended for any reason relating to patentability, *per se*. The same applies to the canceled and the newly added claims. It is submitted that the amended claims satisfied 35 U.S.C. §§ 102, 103 and 112, among other sections, before and after the amendments. Nothing relied on for patentability in the Response dated October 17, 2001 is predicated only on amended subject matter. Also, as analysis will reveal, many claim elements were not narrowed by the respective amendments thereto in the Preliminary Amendment, but were broadened.

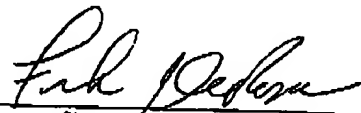
Respectfully submitted,

Dated: November 2, 2001

  
\_\_\_\_\_  
Frank J. DeRosa  
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Attorney Docket No. 3910/164

In re Application of: Russell Javors

Serial No: 09/497,244

Examiner: B. Zimmerman

Filed: February 3, 2000

Group: 2635

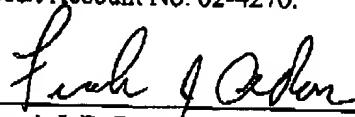
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Sir:

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- ☒ The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 02-4270.

  
\_\_\_\_\_  
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**BROWN RAYSMAN****Official**

BROWN RAYSMAN MILLSTEIN FELDER &amp; STEINER LLP

**FACSIMILE COVER SHEET**

**From:** Frank J. DeRosa  
**Direct Dial:** 212-895-2010  
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1.	Mr. Brian Zimmerman	USPTO	703-305-3988	

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